

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH TAYLOR, AB7038,)
Petitioner,) No. C 12-0376 CRB (PR)
vs.) ORDER
VIMAL SINGH, Warden,) (Docket # 6)
Respondent.)

Petitioner's request (docket # 6) for an ordering compelling discovery in these federal habeas proceedings is DENIED without prejudice. Petitioner may renew the request only after respondent answers the court's June 5, 2012 order to show cause why a writ of habeas corpus should not be granted and he reviews the exhibits submitted in support of the answer. Petitioner is also advised that a habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course. See Bracy v. Gramley, 520 U.S. 899, 904 (1997). Under Rule 6(a) of the Federal Rules Governing Section 2254 Cases, discovery may be permitted only for good cause, i.e., "'where specific allegations before the court show reason to believe that the petitioner may, if the facts are fully developed, be able to demonstrate that he is . . . entitled to relief.'" Id. at 908-09 (quoting Harris v. Nelson, 394 U.S. 286, 299 (1969)).

SO ORDERED.

DATED: July 9, 202


CHARLES R. BREYER
United States District Judge